

**IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

International Application No. : PCT/JP2004/009436  
International Filing Date : July 2, 2004  
U.S. Serial No. : 10/562,833  
Deposit Date U.S. Nat'l Phase : December 30, 2005  
Priority Date(s) Claimed : July 4, 2003  
Applicant(s) : Toshiya FUJISATO et al.  
Title: METHOD OF CELL INJECTION INTO BIOTISSUE AND APPARATUS THEREOF

**RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE  
UNDER 35 U.S.C. 1.495**

**IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**


Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Defective Response dated April 2, 2007, Applicants believe that this notice is erroneous. As can be seen from the attached copy of the front page of the declaration, both PCT number and filing date are stated.

However, the Commissioner is hereby authorized to charge fees under 37 CFR § 1.16 and § 1.17 which may be required to facilitate this filing, or credit any overpayment to Deposit Account #13-3402.

Respectfully submitted,

  
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Attorney for Applicants

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Attorney Docket No.: AKA-0292

Date: May 2, 2007  
AJZ:lvt

**URGENT****UNITED STATES PATENT AND TRADEMARK OFFICE**

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/562,833	Toshiya Fujisato	AKA-0292

INTERNATIONAL APPLICATION NO.	
PCT/JP04/09436	
I.A. FILING DATE	PRIORITY DATE
07/02/2004	07/04/2003

Millen White Zelano & Branigan  
 Arlington Courthouse Plaza 1  
 2200 Clarendon Boulevard, Suite 1400  
 Arlington, VA 22201

ACTION Response Due  
 DUE DATE 5/2/07

CONFIRMATION NO. 8388  
 371 FORMALITIES LETTER  
  
 \*OC00000023178825\*

Date Mailed: 04/02/2007

**NOTIFICATION OF DEFECTIVE RESPONSE**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 12/30/2005
- Copy of the International Search Report filed on 12/30/2005
- Preliminary Amendments filed on 12/30/2005
- Information Disclosure Statements filed on 12/30/2005
- U.S. Basic National Fees filed on 12/30/2005
- Priority Documents filed on 12/30/2005

ACTION \_\_\_\_\_  
 DUE DATE \_\_\_\_\_

Applicant's response filed 09/06/2006 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 07/10/2006 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

*Handwritten signature and date: 4/5/07*

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

NISA F GILCHRIST

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PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/562,833	PCT/JP04/09436	AKA-0292

FORM PCT/DO/EO/916 (371 Formalities Notice)